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### NOTES OF CASES.

**Alimony—Husband Marrying Again.**—In Nebraska, where a decree of divorce and for the payment of alimony is granted the wife, the derelict husband cannot defeat the collection of alimony by remarrying, and claiming the benefit of the exemption law, as the head of a family.

The Supreme Court said that the law ought not to permit him to construct a shield that will protect him in his marital and domestic recklessness. By getting married again he ought not to be permitted to relieve himself from the burden of support. "The branch of jurisprudence which treats of marriage is most important. Marriage furnishes the basis of a permanent and Christian civilization. The duties assumed under it should be conscientiously discharged. Courts of equity will compel the enforcement of marriage obligations, and no mere rule of law sought to be interposed by him will permit the derelict husband to escape the burden of supporting his wife and children." The Court held that the object of the statute relating to exemptions was the protection of the family and not the protection of the husband. "It could never have been designed to allow a man to escape his obligations to his family. Why, then, should it not protect the family against him, as well as protect it against a creditor?" *Winter v. Winter*, 145 N. W. 709.

**Suit Case Falling from Rack on Head of Passenger.**—In Connecticut the plaintiff with two friends was playing cards in the smoking car of a train, when it suddenly stopped a short distance before reaching a station, and a suit case fell from the rack over the seat in which the plaintiff was then sitting and struck him on the head, inflicting an injury from which serious consequences afterwards developed. The plaintiff's friends had placed two suit cases in the rack, one over the other, before the train started from New York. The plaintiff sued for damages claiming that the suit case was thrown from the rack by a train stop so unusually sudden and violent as to show negligence in the operation of the train; or if the stopping of the train was not unusual, and the fall of the suit case was occasioned in whole or in part by the ordinary motion of the train, defendant ought to have foreseen the danger and protected plaintiff against it. The trial court found against him, but its decision is overruled on appeal, the Supreme Court saying: "A passenger cannot be expected to know the cause of an abrupt stop resulting in injury, and it is not asking too much of the defendant railroad that it should be put upon its explanation by evidence showing that the stop was uncommonly abrupt, and that it produced a physical consequence in itself unusual, from which the plaintiff's injury resulted. \* \* \* It is said that the doctrine of *res ipsa loquitur* has no